

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
(NORTHERN)(SOUTHERN) DIVISION

In the matter of:

Case No.
Chapter
Hon.

Debtor. /

Plaintiff(s),

vs.

Adv. Pro. No.

Defendant(s). /

**ORDER FOR INITIAL SCHEDULING CONFERENCE
IN AN ADVERSARY PROCEEDING**

Pursuant to Fed. R. Bankr. P. 7016 and Fed. R. Civ. P. 16, the Court will conduct a scheduling conference (in chambers)(by telephone) on _____, 200__, at _____.m. following which a scheduling order will be issued.

All parties and their counsel are reminded that incident thereto, and, by reason of amendments to the Federal Rules of Civil Procedure effective December 1, 2000:

- (a) they must comply with Fed. R. Bankr. P. 7026, incorporating Fed. R. Civ. P. 26(f), requiring them to (1) confer and discuss the required subjects, and, (2) submit to the Court a written report (including a discovery plan) after that conference; in all proceedings except those brought under 11 U.S.C. § 523(a) that conference must take place at least 14 days before the scheduling conference; and, the required written report must be submitted at least 5 days before that scheduling conference; as to proceedings solely under 11 U.S.C. § 523(a), the 26(f) conference may take place at any time before the scheduling conference, and the report thereof may be delivered orally to the Court at the conference;

and

- (b) they must comply with Fed. R. Bankr. P. 7026, incorporating Fed. R. Civ. P. 26(a)(1), requiring specified initial disclosures to be filed and served within 14 days after the Rule 26(f) conference (unless the parties waive the requirement in whole or in part, or extend the due date; note that any such waiver or extension should be included in the required 26(f) report).

Attached are (a) a model form of written report including a discovery plan; and, (b) the preliminary form of scheduling order the Court proposes to issue as a result of the scheduling conference;(subject to the Court's review of the 26(f) report, and what occurs at the scheduling conference). While the model form is not mandatory, the Court believes it might assist the parties in fully complying with their obligations under Fed. R. Civ. P. 26(f).

United States Bankruptcy Judge

Dated:
cc: